



# SHANKS & HERBERT

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DAC #  
# 20

March 18, 2002

Assistant Commissioner for Patents  
Washington, D.C. 20231

Re: U.S. Patent Application  
Appl. No.: 09/513,997  
Filed: February 25, 2000  
For: **COMPOSITIONS AND METHODS FOR NON-TARGETED  
ACTIVATION OF ENDOGENOUS GENES**  
Inventors: Harrington et al.  
Attorney Docket No.: 0221-0003Q

Sir:

The following documents are forwarded herewith for appropriate action by the  
U.S. Patent and Trademark Office:

1. Petition for a Corrected Filing Date for a Patent Application Filed Under 37 C.F.R 1.53(b) (in duplicate);
2. Copy of the Return Postcard with the date of mailing listed as February 25, 2000;
3. Copy of Utility Patent Application Transmittal filed February 25, 2000;
4. Copy of Transmittal for the Request for Transfer of Computer Readable Form of Sequence Listing filed February 25, 2000;
5. Copy of Information Disclosure Statement filed February 25, 2000;
6. Check in the amount of \$130.00 (Petition Fee); and
7. One (1) Return Postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

Respectfully submitted,

SHANKS & HERBERT

Kristin K. Vidovich  
Reg. No. 41,448

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West Coast Office  
4350 La Jolla Village Drive, Suite 330, San Diego, Ca 92122  
Telephone: (858) 597-6688 Facsimile: (858) 597-6682



<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  (Only for new nonprovisional applications under 37 CFR 1.53(b))	Attorney Docket No. 5817-7Q
	First Inventor or Application Identifier: Harrington, <i>et al.</i>
	Title of Invention: COMPOSITIONS AND METHODS FOR NON-TARGETED ACTIVATION OF ENDOGENOUS GENES
	Express Mail Label No. EL039496197US

ADDRESS TO: ASSISTANT COMMISSIONER FOR PATENTS  
BOX PATENT APPLICATION  
WASHINGTON, DC 20231

Transmitted herewith for filing in the United States Patent Office is a patent application for:

Inventors: John J. Harrington, Bruce Sherf, and Stephen Rundlett

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1. ☒ The Filing Fee has been calculated as shown below:  
(Submit an original, and a duplicate for fee processing)

No. Filed		No. Extra	Small Entity Rate	Fee 1	Large Entity Rate	Fee 0
BASIC FEE				\$ 345		\$0
TOTAL CLAIMS: 115 - 20 =			95	X 9 = \$ 855	x 18 = \$0	
INDEP CLAIMS: 8 - 3 =			5	X 39 = \$ 195	x 78 = \$0	
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED				+130 = \$ 130	+260 = \$	
*If the difference in Column 1 is less than zero, enter "0" in Column 2.			TOTAL	\$1,525	TOTAL \$	

The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit  
Account No. 16-0605.

- a. ☒ Fees required under 37 CFR 1.16 (National filing fees).  
b. ☒ Fees required under 37 CFR 1.17 (National application processing fees).  
☐ A check in the amount of \$\_\_\_\_\_ is enclosed.  
☐ The above filing fee will be paid along with Applicant(s) Response to the Notice to File Missing Parts.

2. ☒ Specification; Total Pages 166
3. ☒ 62 Sheets of Formal Drawing(s) (35 USC 113)
4. ☒ Declaration and Power of Attorney; [Total Pages 2]
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 16 completed)
- i. ☐ DELETION OF INVENTOR(S) Signed statement  
attached deleting inventor(s) named in the prior  
application, see 37 CFR 1.63(d)(2) & 1.33(b).
5. ☐ Microfiche Computer Program (Appendix)
6. ☒ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Copy
- b. ☒ Paper Copy (identical to computer copy)
- c. ☒ Statement verifying identity of above paper copy with  
computer readable copy in prior application

#### ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s) (including \$40.00 fee)
8. ☒ 37 CFR 3.73(b) Statement (when there is an assignee); ☒ Power of Attorney
9. ☐ English Translation Document (if applicable)
10. ☒ Information Disclosure Statement (IDS)/PTO-1449
11. ☒ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
13. ☒ Small Entity Statement(s)  
☒ Statement as filed in prior application; status still proper and desired.
14. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)  
Foreign Priority is
15. ☐ Other: \_\_\_\_\_

16. **If a CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment:

- ☐ Continuation ☒ Divisional ☐ Continuation in Part (CIP)  
of prior Application No: 09/276,820; Filed March 26, 1999, which is a CIP of

09/263,814 filed 3/8/99, which is a CIP of 09/253,022 filed 2/19/99, which is a CIP of 09/159,643 filed 9/24/98,  
which is a CIP of 08,941,223 filed 09/26/97

Prior Application Information: Examiner Ram Shukla

Group/Art Unit: 1632

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label 000826

Attention Of: Anne Brown

Signature:

*Anne Brown*

Attorney of Record: Anne Brown

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Charlotte NC 28234-4009

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"Express Mail" mailing label number EL039496206US

Date of Deposit February 25, 2000

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Assistant Commissioner For Patents, Washington, DC 20231.

*Nora C. Martinez*

Nora C. Martinez

REA01/2074345v1